



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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DONALD L. WOLFE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

April 10, 2007

IN REPLY PLEASE

REFER TO FILE: PD-6

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**REQUEST FOR JURISDICTION
FOOTHILL BOULEVARD UNDER ATCHISON, TOPEKA, AND
SANTA FE RAILROAD BRIDGE
CITY OF AZUSA
SUPERVISORIAL DISTRICT 1
4 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this project is exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Adopt the enclosed Resolution declaring Foothill Boulevard under Atchison, Topeka, and Santa Fe (AT&SF) Railroad Bridge, which is within the City of Azusa, to be a part of the County System of Highways.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The City of Azusa and the County of Los Angeles propose to seismically retrofit the AT&SF Railroad Bridge over Foothill Boulevard, which is in the City of Azusa. The County, which is the lead project administrator, requires jurisdiction from the City of Azusa in order to retrofit this bridge.

Sections 1700-1702 of the California Streets and Highways Code provide that the Board of Supervisors of any county may, by a resolution adopted by a four-fifths vote of its members, declare any highway in the county lying in whole or in part within a city to be

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

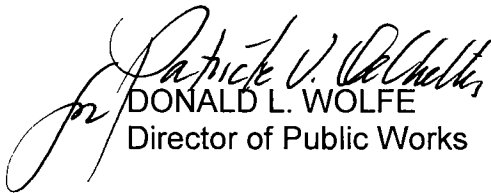
Following the Loma Prieta earthquake in the San Francisco Bay area in October 1989, emergency State legislation known as Senate Bill 36X was enacted, which requires that all existing publicly-owned bridges in the State be inspected and that those found to have a seismic structural deficiency be upgraded and retrofitted to conform with specific structural standards. The Senate Bill further provides for the County of Los Angeles to be the lead agency for inspecting and retrofitting all non-State highway bridges within Los Angeles County.

The proposed improvements are needed and of general County interest. The project is tentatively scheduled to be advertised for construction bids in fall 2007, pending the City's consent to jurisdiction and the County obtaining the necessary Federal and State approvals. This jurisdiction will be relinquished after the completion of the project.

CONCLUSION

Enclosed are two copies of the Resolution. Upon approval by your Board, please return one adopted copy of this letter together with two certified copies of the Resolution to us for further processing.

Respectfully submitted,



DONALD L. WOLFE
Director of Public Works

MD:sc

C070806

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Enc.

cc: Chief Administrative Office
County Counsel

a county highway for certain purposes, including improvement. The governing body of the affected city may consent to the relevant portion of the highway within its jurisdiction being included as a part of the county highway system. Thereafter, the Board of Supervisors of the county may acquire right of way, construct, maintain, improve, or repair such highway in the same manner as other county highways.

Implementation of Strategic Plan Goals

This action meets the County Strategic Plan Goal of Service Excellence. By improving the safety of AT&SF Railroad Bridge over Foothill Boulevard, residents of the City of Azusa, nearby cities, and the unincorporated County areas who travel on Foothill Boulevard will benefit, and their quality of life will be improved.

FISCAL IMPACT/FINANCING

Your Board's adoption of the enclosed Resolution will not directly result in any fiscal impact on the County. We will submit the project to your Board for approval to advertise a construction contract for the seismic retrofit improvements at a later date. This project will be constructed as a Federal-aid project under the State Seismic Retrofit Program administered by the State of California. Under this Program, the entire cost of the project will be financed with Federal and State funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Resolution provides for the County to perform the preliminary engineering and administer the construction of the project under the Federal Highway Bridge Program.

The enclosed Resolution has been reviewed and approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

CEQA requires public agency decision makers to document and consider the environmental implications of their actions. The proposed project is statutorily exempt from the provisions of CEQA pursuant to Public Resources Code Section 21080.16.

**RESOLUTION DECLARING FOOTHILL BOULEVARD UNDER ATCHISON, TOPEKA,
AND SANTA FE RAILROAD BRIDGE, WHICH IS WITHIN THE CITY OF AZUSA, TO
BE A PART OF THE COUNTY SYSTEM OF HIGHWAYS**

WHEREAS, by reason of its location and travel thereon, Foothill Boulevard under Atchison, Topeka, and Santa Fe (AT&SF) Railroad Bridge, which is within the City of Azusa, in the County of Los Angeles, State of California, should be a part of the County System of Highways, for the limited purpose of performing a seismic safety retrofit of the AT&SF Railroad Bridge over Foothill Boulevard; and

WHEREAS, it is the purpose of the Board of Supervisors of said County to cause construction of the above-stated improvements and perform appurtenant work thereon provided the consent of the governing body of the City shall first be given by means of adopting the attached Resolution by the City Council of the City of Azusa, California, consenting to the establishment of Foothill Boulevard under AT&SF Railroad Bridge, within said City, as part of the County System of Highways;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California, that Foothill Boulevard under AT&SF, which is within the City of Azusa, is hereby declared to be a part of the System of Highways of said County as provided in Sections 1700 and 1702 inclusive of the Streets and Highways Code of the State of California for the purpose of authorizing construction of the aforementioned work.

BE IT FURTHER RESOLVED, by the Board of Supervisors of the county of Los Angeles, State of California, that the County agrees:

- (a) That the County of Los Angeles shall not be responsible for any damage or liability occurring by reason of any roadway condition on the aforementioned street, within the City of Azusa, existing prior to the start of retrofit construction by the County or following the completion and field acceptance of said construction.
- (b) That the work to be performed by the County shall not include roadway maintenance activities on Foothill Boulevard under AT&SF Railroad Bridge, which is within the City of Azusa, prior to the start of retrofit construction by the County or following the completion and field acceptance of said construction.

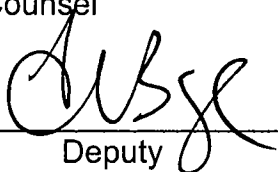
The foregoing Resolution was on the day _____ of _____, 2007, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessments and taxing districts, agencies, and authorities for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By  _____
Deputy

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF AZUSA, CALIFORNIA, CONSENTING TO THE ESTABLISHMENT OF
FOOTHILL BOULEVARD UNDER ATCHISON, TOPEKA, AND SANTA FE
RAILROAD BRIDGE, WITHIN SAID CITY, AS PART OF THE SYSTEM OF
HIGHWAYS OF THE COUNTY OF LOS ANGELES**

WHEREAS, the County of Los Angeles Board of Supervisors on _____, 2007, duly adopted a Resolution declaring Foothill Boulevard under Atchison, Topeka, and Santa Fe (AT&SF) Railroad Bridge, which is within the City of Azusa, to be a part of the County System of Highways for the purpose of performing a seismic safety retrofit of the AT&SF Railroad Bridge over Foothill Boulevard at the aforementioned location, as provided in Sections 1700 to 1702 inclusive of the Streets and Highways Code of the State of California; and

WHEREAS, said Board of Supervisors by said Resolution requested this Council to give its consent to allow the County to perform seismic safety retrofit of the AT&SF Railroad Bridge (Retrofit Work), within the City of Azusa; and

WHEREAS, it is the intent of the County of Los Angeles Board of Supervisors to perform the Retrofit Work, provided the consent of the governing body of the City of Azusa shall first be given under the terms herein.

NOW, THEREFORE, the City Council of the City of Azusa does resolve as follows:

SECTION 1. Consent to Inclusion in County Highway System – This City Council does hereby consent to include Foothill Boulevard under AT&SF Railroad Bridge as part of the System of Highways of the County of Los Angeles as provided in the Sections 1700 to 1704 inclusive of the Streets and Highways Code of the State of California, for the limited purpose of performing a seismic safety retrofit of the bridge at this location.

SECTION 2. Indemnification – That the City of Azusa shall fully indemnify, defend, and hold the County of Los Angeles harmless in connection with any and all claims, liability, injury (as defined by Government Code Section 810.8) or damage relating to the AT&SF Railroad Bridge that is not caused by County's Retrofit Work.

SECTION 3. Roadway Maintenance – The City of Azusa will remain the owner of the Foothill Boulevard and remain responsible for all roadway maintenance activities on the Foothill Boulevard under AT&SF Railroad Bridge prior to the start of construction by the County or following the completion and field acceptance of said construction. Following completion of construction and County's field acceptance of the Retrofit Work, the City of Azusa accepts ownership and full responsibility for all roadway maintenance, including relating to the Retrofit Work.

SECTION 4. Environmental Documentation – The City of Azusa does hereby consent to adopt and concurs with the environmental findings pursuant to the California Environmental Quality Act that has been adopted by the County in connection with the Retrofit Work.

SECTION 5. Warranty for Retrofit Work – The County hereby assigns all of its right, title, and interest to the unexpired portion of a one-year warranty granted to the County by the construction contractor performing the Retrofit Work following completion of construction of the Retrofit Work and field acceptance of said construction by County. The City agrees to accept said assignment as its sole remedy against the County in connection with defects relating to said Retrofit Work.